

## **REMARKS**

### **I. Office Action mailed May 13, 2004 has been vacated.**

Paragraph 1 of the Office Action mailed May 21, 2004 states that the Office Action mailed May 13, 2004 has been vacated. Since the Office Action mailed May 21, 2004 supercedes the earlier Office Action, it is Applicants' understanding that the three-month time period for reply commences from May 21, 2004.

### **II. Amendments.**

#### **Drawings**

The drawings are objected to because Figure 2 allegedly contains a blank rectangular box and/or merely numbered box. Applicants provide a proposed replacement drawing sheet which comprises an amended Figure 2, in which the box numbered "1" in the middle of the Figure has additionally been labeled as "Contactless Programmable Push-Button". Support for the amendment is provided by the specification at page 3, lines 15-16. Withdrawal of the objection to the drawings is requested.

#### **Title**

The title is objected to as allegedly not being descriptive. Applicants disagree that the title is not descriptive. Nevertheless, the title has been amended to read "Contactless Push Button Switch Comprising a Hall Effect Transducer and Microprocessor". Accordingly, withdrawal of the objection to the title is requested.

Claims 1-7 and 13-16 are pending and have been re-presented in this paper, but have not been amended herein.

Entry and favorable consideration of the amendments is respectfully requested. No new matter has been added by any amendment herein.

### III. Alleged obviousness-type double patenting rejection

Claims 1-7 and 13-16 are rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-8 of U.S. Patent No. 6,612,404. Although the Examiner acknowledges that the conflicting claims are not identical, the Examiner alleges that the claims are not patentably distinct from each other.

Applicants disagree with the Examiner's allegation. Nevertheless, in order to expedite prosecution, Applicants enclose a terminal disclaimer over U.S. Patent No. 6,612,404. Entry of the terminal disclaimer and withdrawal of the obviousness-type double-patenting rejection is requested.

### IV. Conclusion

Upon entry of this Amendment, claims 1-7 and 13-16 remain pending. Applicants submit that claims 1-7 and 13-16 are in condition for allowance, which action is urgently requested.

The Assistant Commissioner is authorized to charge any fee which may be due in connection with this communication to Deposit Account No. 23-1703.

Dated: June 23, 2004

Respectfully submitted,

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Enclosures: Proposed replacement drawing sheet (Figs. 2-4)  
Markup version of replacement drawing sheet  
Terminal disclaimer

Ser. NO. 10/615,430

Markup Version of Drawing Correction

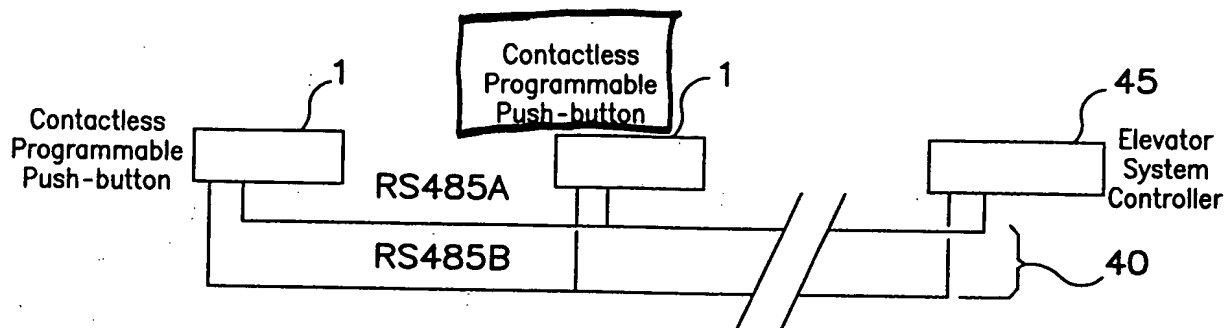
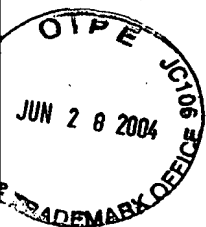


FIG. 2

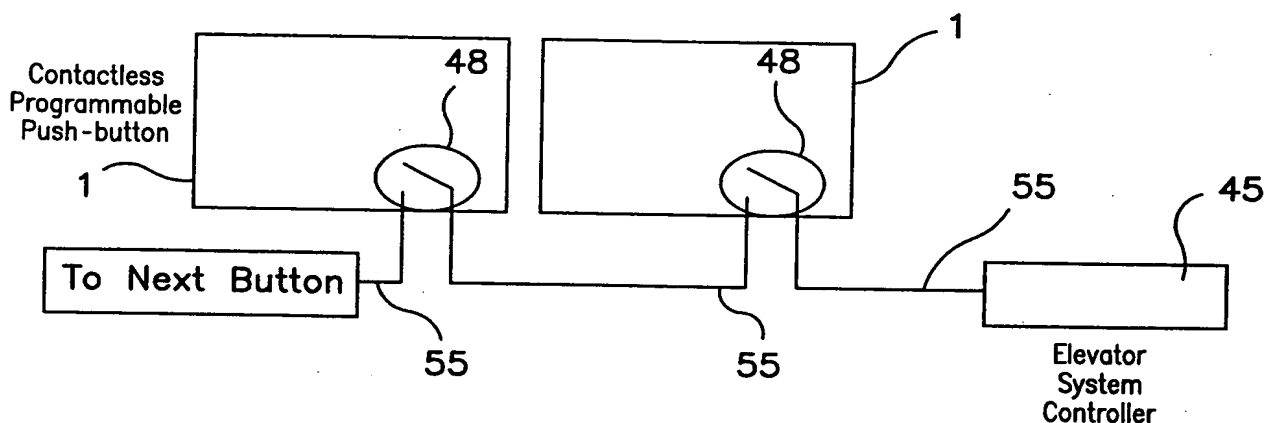


FIG. 3

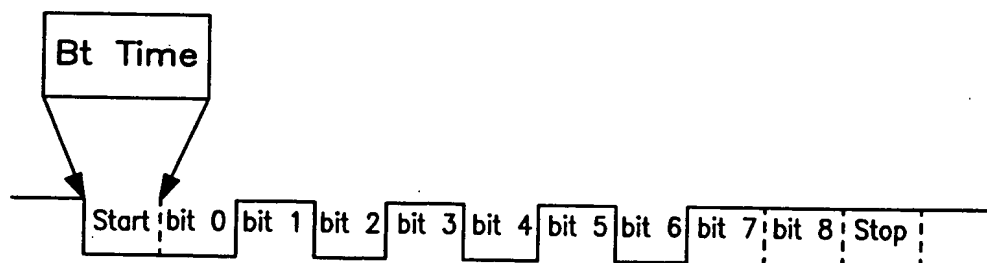


FIG. 4